

	<b>Reference No: 01-19</b> <b>Issue - 1.0</b>  <b>Issue Date: 05/03/2019</b> <b>Area: FCL</b>	<b>SAFETY REGULATION DIVISION</b>  <b>IRISH AVIATION AUTHORITY</b>  <b>PERSONNEL LICENSING ADVISORY</b> <b>MEMORANDUM (PLAM)</b>
<b>TITLE</b>	<b>INTERIM ARRANGEMENTS FOR CONTINUING PRIVILEGES OF IAA-ISSUED PART-FCL (“EASA”) PILOT LICENCES AND OTHER RELATED MATTERS IN THE EVENT OF “HARD BREXIT” OF UNITED KINGDOM</b>	
<b>THIS PLAM IS ISSUED FOR INFORMATION PURPOSES ONLY, IT DOES NOT AMEND OR SUPERSEDE THE APPLICABLE REGULATIONS. IF ANY DOUBT EXISTS, PLEASE REFER DIRECTLY TO THE APPLICABLE REGULATIONS.</b>		

## 1. Purpose of PLAM and Clarification of Terminology Used

### 1.1. Withdrawal of the United Kingdom (UK) from EU Aviation Safety Rules

1.1.1. On 29 March 2017, the UK submitted notification of its intention to withdraw from the European Union (EU), to take effect from 29 March 2019, 00:00h (CET) (the Brexit “withdrawal date”). The EU Commission indicated that, unless a ratified withdrawal agreement is concluded with the UK, all EU law will cease to apply to the UK, which will then be regarded as a “third country”.

1.1.2. “Hard Brexit” is used in this PLAM as meaning a situation where the UK leaves the EU without maintaining participation in the EASA Pilot Licensing system, even to the extent to which the non-EU States of Norway, Iceland and Switzerland do. It is the stated preference of the UK Government and the UK CAA that the UK should remain part of the EASA system, but there is no current provision for this to happen (at the time of writing of this PLAM).

1.1.3. The guidance/advice provided by the EU Commission, EASA and the CAA(UK) has been incorporated, where relevant and applicable, into this PLAM. The CAA(UK) has provided information on the effects of the Brexit for the aviation industry (including pilots and aeromedical examiners (AMEs)) at link - <https://info.caa.co.uk/eu-exit/>

1.1.4 The term “EASA Pilot Licence” means a pilot licence issued under the Aircrew Regulation (EU Reg. No. 1178/2011) by a European state which is either a European Union Member State or Iceland, Norway or Switzerland, or which is the UK (but only before a “Hard Brexit” implementation).

### 1.2 Proposed Timetable of Actions Based on Possible Outturns

1.2.1. In the event of a “Hard Brexit” on the “withdrawal date” the position on licence/certificate validity described in the paragraphs below will apply from that date. In the event of the postponement of the UK “withdrawal date” and if a “Hard Brexit” occurs later, the position described below will apply from such later date.

1.2.3. If a ratified withdrawal agreement is concluded with the UK which enables it to remain part of the EASA Pilot Licensing system, none of the mitigating actions described below will need to be applied.

1.2.2 Accordingly, this PLAM attempts, in the light of the considerable unpredictability of future developments, to indicate what measures are now and will in the future be put in place to attempt to mitigate the effects of a “Hard Brexit” on the aviation industry and on EASA pilot licence holders.

## 2. Effects of a Hard Brexit on Validity of Pilot Licences & Third Country Licence validations

2.1. The EU Commission has stated that, post Brexit -

- (i) UK-issued EASA pilot licences will no longer be valid for use on aircraft registered in EASA states;
- (ii) UK-issued validations of third country pilot licences will no longer be valid for use on aircraft registered in EASA states.

2.2. The CAA(UK) has stated that, post Brexit -

- (i) UK-issued EASA pilot licences and UK-issued validations of third country pilot licences will continue to be valid for use on aircraft registered in the UK;
- (ii) EASA state issued EASA pilot licences will continue to be valid for use on aircraft registered in the UK for an interim period of up to two years.

### **3. Effects of a Hard Brexit on Validity of Pilot Licence Medical Certificates, Type/Class Rating Certificates**

3.1. An EASA Part-MED Pilot Licence Medical Certificate issued before Brexit date by a UK-certificated aeromedical examiner (AME) will continue to be valid post-Brexit until the natural expiry of its term of validity provided that the associated Medical Report has been returned to the IAA Aeromedical Section. Thereafter, the pilot holding such Medical Certificate will be required to obtain the next Medical Certificate from an AME who is certified by another EASA state.

3.2. An aircraft Type or Class Rating Certificate, which has been endorsed in an IAA-issued EASA Pilot Licence by the holder of a UK-issued Examiner Certificate, will continue to be valid until the natural expiry of its term of validity (one year for Type Ratings, two years for single-engine Class Ratings). Thereafter, the pilot holding such Type or Class Rating Certificate will be required to obtain the next Type or Class Rating Certificate endorsement from an Examiner who is certified by another EASA state.

### **4. Effects of a Hard Brexit on Validity of Pilot Licence Component Parts and Training**

4.1. A written statement issued by CAA(UK) of results of professional pilot licence (CPL, MPL, ATPL) or Instrument Rating theoretical knowledge examinations taken before Brexit date will continue to be accepted post-Brexit as valid for use in an application to the IAA for the relevant pilot licence or Instrument Rating until the natural expiry of the normal term of validity (i.e., three years from the examination series completion date).

4.2. A written statement issued by a UK Ground Examiner of results of private pilot licence (PPL) theoretical knowledge examinations taken in the UK are not accepted by the IAA unless they are independently verified by the CAA(UK) directly to the IAA. Subject to the foregoing verification, PPL examinations taken before Brexit date will continue to be accepted post-Brexit until the natural expiry of the normal term of validity (i.e., two years from the examination series completion date).

4.3. A written statement, issued by CAA(UK), of completion before Brexit date of -

- (i) a Multi-Crew Cooperation (MCC) course (Aeroplane or Helicopter); or
- (ii) an aeroplane "Upset Prevention and Recovery Training" (UPRT) course -

will continue to be accepted for an indefinite period post-Brexit as valid for use as a component in an application to the IAA for the initial issue of a Multi-Pilot Aeroplane (MPA) or Multi-Pilot Helicopter (MPH) Type Rating.

4.4. Where, before Brexit date, an applicant -

- (i) has passed the skill test within a period of 6 months after commencement of a Class or Type rating training course conducted by a UK-approved ATO; and
- (ii) has also completed such base training as may be required,

the Certificate of Course Completion for such training will continue to be accepted post-Brexit as valid for use in an application to the IAA for the issue of the relevant Class or Type rating until the expiry of the normal period of acceptance (i.e. six months from the training completion date).

4.5. Where, before Brexit date, an applicant for a ZFTT restricted Type Rating requests that the Rating be made valid for a completion of LIFUS training after Brexit date with a UK Commercial Air Transport (CAT) operator, such Rating will only be issued under ZFTT conditions where it can be demonstrated that it is possible to conduct the first four take-offs and landings of the LIFUS in the aeroplane under the supervision of an EASA TRI(A).

4.6. Where a student pilot is training at a UK ATO but intends to seek issue of a pilot licence or an associated rating from the IAA rather than the CAA(UK), the Certificate of Course Completion will be accepted by the IAA provided that the course is completed before Brexit date.

4.7. Other training courses - transfer to another ATO

Where a student pilot is training at a UK ATO and intends to seek issue of a pilot licence or an associated rating from the IAA rather than the CAA(UK) and it becomes apparent that the course cannot be completed before Brexit date, the IAA will give credit for training completed up to Brexit date provided that the student transfers to another EASA approved ATO for post-Brexit completion of the training course and that they apply to the IAA for a formal assessment of the further hours of training required. This is in accordance with Part-FCL, APPENDIX 3, paragraph 2 - "Training courses for the issue of a CPL and an ATPL" - "applicant wishing to transfer to another ATO during a training course".

## **5. Types of Pilot Licence/ Qualification on which a Hard Brexit has no Effect**

5.1. UK EASA PPLs, (or the PPL privileges of UK EASA CPLs, MPLs & ATPLs) : When these become regarded as third country licences, will continue to enjoy automatic validation for the exercise of PPL privileges on Irish-registered private aircraft by virtue of an exemption from EASA requirements for validation put in place by IAA Aeronautical Notice NR. P.25 (Issue 3) - entitled "Exemption for holders of Third Country Pilot Licences" which can be downloaded from IAA Website at link below - [https://www.iaa.ie/docs/default-source/publications/aeronautical-notice/p---personnel-licensing/p25-issue-2-final.pdf?sfvrsn=64ec07f3\\_14](https://www.iaa.ie/docs/default-source/publications/aeronautical-notice/p---personnel-licensing/p25-issue-2-final.pdf?sfvrsn=64ec07f3_14) . Currently this exemption runs to 8th April 2019, but it will be extended to June 2020.

5.2. Non-EASA licensed or qualified pilots of so-called EASA "Annex 1" aircraft : These aircraft and their pilots do not come within the ambit of EU law, so the Hard Brexit does not affect the permission for these pilots to fly in Irish airspace given under Irish national law ; for details, refer to Aeronautical Notice NR. P.21 (ISSUE 3 - title "ACCEPTANCE OF FLIGHT CREW LICENCES" on the IAA Website at link below- [https://www.iaa.ie/docs/default-source/publications/aeronautical-notice/p---personnel-licensing/an-p21-3.pdf?sfvrsn=24ac0df3\\_6](https://www.iaa.ie/docs/default-source/publications/aeronautical-notice/p---personnel-licensing/an-p21-3.pdf?sfvrsn=24ac0df3_6) .

## **6. Note on Applications for Transfer of State of Licence Issue (SOLI)**

6.1. Applications for transfer of SOLI by UK pilot licence holders which are received by hand, post or courier up to the close of business on Brexit date will be processed even if such processing extends into the post-Brexit period.

6.2. Applications for transfer of SOLI by UK pilot licence holders which are received after Brexit date will be returned to the applicant with advice to apply for conversion of the UK pilot licence as a third country licence. (Note: The conditions and requirements for such conversion in the light of their pre-Brexit "EASA status" have yet to be determined by the IAA.)

## **7. Date of Implementation of this PLAM**

This PLAM No. 01-19, Issue 1, dated 05/03/19, takes immediate effect on its publication on the IAA Website and is implemented in accordance with the applicable dates/events (which may change because of Brexit date uncertainty) quoted in the PLAM. It does not replace any previous PLAM.